

Report of the Strategic Director, Department of Place to the meeting of the Bradford West Area Committee to be held on 20 September 2017

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Subject:

Derelict Buildings on Priestman Street, Bradford

Summary statement:

This report has been produced for the Bradford West Area Committee to describe the condition of the buildings known as Lund Humphreys and Unit 71 on Priestman Street, Bradford and what actions can be taken to address the deteriorating condition of the buildings.

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Overview & Scrutiny Area:

[Insert where appropriate]



1. SUMMARY

- A partition has been received by the Council with regard to the condition and appearance of derelict buildings on Priestman Street.
- The former Lund Humphries building and a former portal framed industrial building known as Unit 71 have been damaged by fire and are now deteriorating. The owner of the buildings has not cooperated with the Council by removing the remains of the buildings or redeveloping the site, but has sought to undertake the minimum of work to alleviate the danger to the public by fencing off the buildings.
- The situation is typical of the many dilapidated buildings around the district.
- The reducing resources available to the council have meant that its services have had to prioritise those functions that are statutory duties and those that present the greatest risk to the public.

2. BACKGROUND

- The former Lund Humphries Building and the adjacent unit 71 have been fire damaged in separate incidents and other than fencing off the site, the owner has carried out no remedial works.
- The majority of the roofs to the former Lund Humphreys building have been lost due to fire damage. Some of the floors remain and the majority of the wall structure is in place and is structurally stable in the medium term.
- The appearance and condition of the buildings and the owners' lack of progress in redeveloping or removing the remains causes a detriment to the appearance of the neighbourhood.

3. OTHER CONSIDERATIONS

- The Council has a duty to perform certain functions. The functions to remove ruinous and dilapidated buildings are ones where the council has certain powers but there is no direct legislative duty to do so.
- No budget item has been set to provide resources to undertake works to the derelict commercial buildings in the district.

4. FINANCIAL & RESOURCE APPRAISAL

- As the local authority's resources have been reduced over the last eight years, the council has had to prioritise its statutory duties and those directly relating to public safety. Thus, the actions, taken by the council have prioritised those structures that present an immediate danger to the public over those that are not directly adjacent to the highway and have been fenced off.
- The demolition of the remains and the removal of the materials arising from the demolition of the buildings present a financial commitment for which there is no provision within the Council's budget. It is possible for the Council to claim back the reasonable costs incurred in demolishing a building and removing the materials from site. However, if the owner does not reimburse the council it is possible to make a charge on the land under Section 107, Building Act. Until the land is sold, the council is not compensated for the costs it incurred and, further, the value of the land can be less than the sums expended.



5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- Besides being unsightly, the buildings present a potential danger to trespassers into the site.
- Trespassers have, on a number of occasions, set fires in the former Lund Humphries building, requiring the attendance of the Fire and Rescue Service and the on call Building Control Surveyor.

6. LEGAL APPRAISAL

- The legal responsibility for a building's safety and condition rests with its owner.
- The council's powers under Section 79, Building Act 1984 are exercisable in this case but are not a mandatory duty. If the Council undertakes work on the site it will be subject to the liabilities for its work under section 106, Building Act 1984. It is possible to recover the costs incurred by the council by exercising its powers under section 107, Building Act 1984 but must bear the costs until such time as they can be recovered.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

7.2 SUSTAINABILITY IMPLICATIONS

- The site occupied by the buildings could potentially be redeveloped subject to decontamination due to the previous use of the land.
- Some of the stone and other building materials can be recycled.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

7.4 COMMUNITY SAFETY IMPLICATIONS

- The buildings on Priestman Street were badly damaged by fire. The buildings are not directly adjacent to the highway and do not present an immediate structural danger to the public. The sites have been fenced off to deter public access and, therefore, do not present an immediate danger to the public. However, trespassers onto the site will be at risk due to the deteriorating state of the remaining structures.
- Trespassers onto the site have been prone to fire setting and the Fire and Rescue Service have attended on numerous occasions to extinguish small fires.

7.5 HUMAN RIGHTS ACT

- There are no human rights implications.

7.6 TRADE UNION

- There are no trade union issues.

7.7 WARD IMPLICATIONS





7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS
(for reports to Area Committees only)
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8. NOT FOR PUBLICATION DOCUMENTS

9. OPTIONS

- The Council could leave the owners to clear and possibly redevelop the sites.
- The Council could use its powers under Section 79, Building Act 1984 or Section 215, Town and Country Planning Act 1990 to require the owner to restore or remove the buildings. In default of works by the building's owner, the council would determine the cost effective works to be carried out, fund such works and then seek to recover its costs.

10. RECOMMENDATIONS

- That the council resolves to underwrite the costs and liabilities of carrying out works in default of notice to remedy the condition of the ruinous and dilapidated buildings on Priestman Street subject to the risks in recovering such expenditure.

11. APPENDICES

Appendix 1. Photographs of the buildings.

12. BACKGROUND DOCUMENTS

- The Building Act 1984.



APPENDIX 1

Photographs of site on Priestman Street, Bradford.







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